

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ESTATE OF BERNARD J. SHERLIP, on :
behalf of itself and all others similarly :
situated, and THE BARRETT LIVING TRUST :
 : 24-CV-4571 (VEC)
 :
Plaintiff, :

-against- :
 :

MORGAN STANLEY and MORGAN STANLEY :
SMITH BARNEY LLC :
 :
Defendants. :

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SAFRON CAPITAL CORP, on :
behalf of itself and all others similarly :
situated, :
 : 24-CV-7750 (VEC)
 :
Plaintiff, :

-against- :
 :

MORGAN STANLEY and MORGAN STANLEY :
SMITH BARNEY LLC d/b/a MORGAN :
STANLEY WEALTH MANAGEMENT :
 :
Defendants. :

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MARK E. MCKINNEY, on behalf of itself and all :
others similarly situated, :
 :
Plaintiff, : 24-CV-8860 (VEC)
 :
-against- :
 :

ORDER

MORGAN STANLEY, MORGAN STANLEY :
SMITH BARNEY LLC, and E*TRADE :
SECURITIES LLC :
 :
Defendants. :

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VALERIE CAPRONI, United States District Judge:

IT IS HEREBY ORDERED that the joint motion to consolidate *Estate of Bernard J. Sherlip et al. v. Morgan Stanley et al.*, 24-cv-4571 (“*Sherlip*”), and *Safron Capital Corp v. Morgan Stanley et al.*, 24-cv-7750 (“*Safron*”), is GRANTED. *Sherlip* will be the controlling case for the two consolidated cases.

IT IS FURTHER ORDERED that no further filings shall be made in *Safron*. The Clerk of the Court is respectfully directed to terminate the open motions at Dkts. 14 and 32 of that case, to close the case, and to consolidate it with *Sherlip*.

IT IS FURTHER ORDERED that motions for appointment of Interim Class Counsel in *Sherlip* must be filed not later than **Friday, December 20, 2024**. Responses must be filed not later than **Friday, January 17, 2025**, and replies must be filed not later than **Friday, January 31, 2025**. The Court will set a deadline to file a Consolidated Complaint after Interim Class Counsel has been appointed.


IT IS FURTHER ORDERED that *McKinney v. Morgan Stanley*, No. 24-cv-8860 (“*McKinney*”), will not be consolidated with *Sherlip* and *Safron* at this time.

IT IS FURTHER ORDERED that, if any of the parties in *McKinney* wish to move for consolidation or for transfer of that action to another District, such motions must be filed not later than **Friday, December 20, 2024**. Oppositions must be filed not later than **Friday, January 17, 2025**, and replies must be filed not later than **Friday, January 31, 2025**.

IT IS FURTHER ORDERED that the *McKinney* Defendants’ deadline to answer or otherwise respond to the Complaint is ADJOURNED *sine die* pending the Court’s resolution of any motion to consolidate or to transfer the action to another District. If no such motions are filed, the *McKinney* Defendants must answer or otherwise respond to the Complaint not later than **Friday, January 31, 2025**.

SO ORDERED.

Date: December 9, 2024
New York, New York



VALERIE CAPRONI
United States District Judge